

Docket No.: 437252001200  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent of:  
Mark R. ALVIS et al.

Patent No.: 7,119,062 B1

Issued: October 10, 2006

Art Unit: 1654

For: METHODS AND COMPOSITIONS FOR  
IMPROVED ARTICULAR SURGERY USING  
COLLAGEN

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Examiner: A. Mohamed

**CONFIRMATION OF NOTICE OF CHANGE OF STATUS**  
**UNDER 37 C.F.R. §1.28(C)**

MS Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A good faith error appears to have been made regarding the above-referenced patent and the Issue Fee payment appears to have been paid at the small entity amount in error, which should have been large entity status. As required under 37 C.F.R. §1.28(c), Applicants include in this submission an itemization of deficiencies owed from the previous erroneous payment and include the calculated deficiency payment.

Small entity fees were paid in the payment of the Issue Fee on August 14, 2006, although the Issue Fee transmittal clearly indicated the change in entity status from small entity to large entity. Applicants are enclosing the amount of \$ 700.00 to provide the difference between the amount to be paid as a large versus small entity. Pursuant to 37 C.F.R. §1.28(c), this fee (representing the deficiency) is based on the amount of the fee in effect at the time the deficiency is paid in full.

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As required under 37 C.F.R. §1.28(c)(2), to correct this oversight and in order for the error in payments to be excused we hereby submit an itemization of all erroneous small entity payments and the differential fees, together with the deficiency payment and hereby request that the Office **confirm** the change in the status of this patent to LARGE ENTITY. The Applicants note that as of July 9, 2007, a review of the maintenance fee payment window on the PAIRS database for the above-referenced patent indicated entity status as LARGE ENTITY.

**Itemization of all erroneous small entity payments and the differential fees:**

TYPE OF FEE	DATE PAID	SMALL ENTITY FEE PAID	CURRENT FEE AMOUNT	LARGE ENTITY DIFFERENTIAL FEE
Payment of the Issue Fee	August 14, 2006	\$ 700.00	\$ 1,400.00	\$ 700.00
<b>TOTALS</b>		<b>\$ 700.00</b> (Total Fees Previously Paid)	<b>\$ 1,400.00</b> (Current Fee Amount)	<b>\$ 700.00</b> (Corrected Fee Amount to be charged to Deposit Account No. 03-1952 )

Based upon the above, Applicant believes the differential between the small entity fees previously paid and the large entity fees now owing should total \$ 700.00. Applicant requests this *differential fee* be paid from our Deposit Account No. 03-1952 referencing docket no. 437252001200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 25, 2007

Respectfully submitted,

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